

Applicant: Duchon et al.
Serial No.: 10/728,433
Group Art Unit: 3743

PATENT
Docket No.: 20144-500

REMARKS

1. Introduction

This Amendment is filed in response to the Official Action dated December 1, 2005. In this Amendment, claims 1, 10, 19, 36, 44, 51-53, 57, 60-61, and 67 are amended and claims 5, 40, 54, 56, 59 and 66 are canceled. Claims 1-4, 6-39, 41-53, 55, 57-58, 60-65, and 67 are currently pending, of which claims 1, 10, 20, 28, 36, 44, 53 and 61 are independent.

2. Allowable Subject Matter

The Examiner has indicated that Claims 20-35 are allowed. The Examiner is thanked for this indication.

The Examiner has further indicated that claims 2, 4-7, 13, 18, 37, 39-42, 46, 51, 55, 59, 63 and 66 would be allowable if rewritten in independent form. In this response thereto, the Applicants have amended the claims as set forth below:

- The subject matter of dependent claim 5 has been added to independent claim 1 and claim 5 has been canceled.
- The subject matter of dependent claim 40 has been added to independent claim 36 and claim 40 has been canceled.
- The subject matter of claim 59 (and its intervening claim 56) has been added to independent claim 53 and claim 59 (and its intervening claim 56) has been canceled.
- The subject matter of claim 66 has been added to independent claim 61 and claim 66 has been canceled.

As a result, it is submitted that claims 1-4, 6-9, 36-39, 41-43, 53-55, 57-58, 60-65 and 67 are now in condition for allowance in accordance with the Examiner's indication.

As for independent claims 10, 44, these claims have been amended to include the subject matter that is found in, for example, claim 5, namely, the

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subject matter involving adhering the walls of the uterine tissue together. Although the Examiner has not indicated that the addition of this subject matter into claims 10 and 44 would lead to allowability, Applicants have inferred this to be the case given the Examiner's indication that this subject matter is allowable with respect to other similar pending independent claims. Accordingly, the Applicants submit that claims 10-19 and 44-51 are now also in condition for allowance.

3. Prior Art Rejections

Applicant in no way concedes the prior art rejections made in the Official Action. The amendments made herein are made solely in an effort to expedite prosecution and rely on the Examiner's indication of allowable subject matter. The Applicants expressly reserve the right to pursue the rejected subject matter in a continuation or divisional application.

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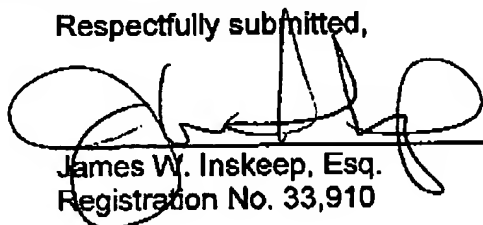
CONCLUSION

In view of the foregoing, it is submitted that all pending claims 1-4, 6-39, 41-53, 55, 57-58, 60-65, and 67 are now in condition for allowance and an indication of such allowability is hereby requested. If after considering this amendment further issues or questions arise, the Examiner is cordially encouraged to contact the undersigned either via e-mail or by telephone according to the contact information set forth below.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 50-2809.

Respectfully submitted,

Dated: March 1, 2006


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